

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/14/2012
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
DEVORAH LUNGER,

Plaintiff,

-v-

UNION OF ORTHODOX JEWISH CONGREGATIONS  
OF AMERICA (ORTHODOX UNION),

Defendant.  
:  
-----X

11 Civ. 7552 (DLC)

ORDER

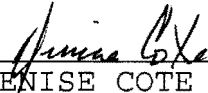
DENISE COTE, District Judge:

The Court has been advised that the parties in this FLSA action have reached a settlement. The FLSA requires that employers who violate the requirement that overtime wages be paid, pay not only the unpaid overtime compensation but also an additional equal amount as liquidated damages. In the event the settlement is for less than this amount, the settlement must be scrutinized by the Court to ensure that it is fair. Elliott v. Allstate Investigations, Inc., No. 07 Civ. 6078 (DLC), 2008 WL 728648 (S.D.N.Y. Mar. 19, 2008). Moreover, because this lawsuit was filed as a putative class action, the Court must determine whether the named plaintiff has used the class action claim to prejudice absent class members. Id. at \*2. Accordingly, it is hereby

ORDERED that the parties shall submit letters by **February 28, 2012** addressing the issues described in Elliott and explaining why this settlement should be approved.

SO ORDERED:

Dated: New York, New York  
**February 14, 2012**

  
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DENISE COTE  
United States District Judge